



Mountain
Plains
Region

1244 Speer Boulevard
Denver, CO 80204

Reply to SP 94-C-40
Attn. of:

NOV 8 1993

Subject: Determining Eligibility of Preprimary Classes Such as Head Start for National School Lunch Program (NSLP) or Child and Adult Care Food Programs (CACFP)

To: STATE AGENCY DIRECTORS: - Colorado ED, Colorado DH, Iowa, Kansas,
(Special Nutrition Programs) Missouri ED, Missouri DH, Montana OPI,
Montana DHES, Nebraska ED, North Dakota,
South Dakota, Utah, Wyoming ED

This will clarify an issue regarding the State agency's (SA's) determination whether Head Start centers or any other "schools" or "classes" for preprimary-age children are eligible for either NSLP or CACFP.

NSLP Regulations Part 210.2 define a school, in part, as "An educational unit of high school grade or under, recognized as part of the education system in the State . . . [or] any public or nonprofit private classes of preprimary grade when they are conducted in the aforementioned schools"

CACFP Regulations Part 226.2 provide for meal service to child care centers. They are defined therein as being " . . . any public or private nonprofit organization, or proprietary Title XX center, . . . licensed or approved to provide nonresidential child care services to enrolled children, primarily of preschool age, including but not limited to day care centers, settlement houses, neighborhood centers, Head Start centers and organizations providing day care services for handicapped children"

At the discretion of the SA, public or nonprofit private classes of preprimary grade, including Head Start Programs, which meet both the NSLP "school" definition and the CACFP "child care center" definition summarized above, may be allowed to choose to participate in either the NSLP or the CACFP. At the further discretion of the SA, such programs could participate in both the NSLP and the CACFP through two separate agreements, as long as the SA ensures that no meals are claimed for both NSLP and CACFP reimbursement. For instance, a site could choose to have an agreement under NSLP for breakfast and lunch, and an agreement under CACFP for after-school hours. However, a Head Start Center that would not be eligible for the NSLP would not have these options, and should be directed to the CACFP.

While the Food and Nutrition Service allows the flexibility of these local options, SAs may impose more restrictive policies which are consistent with our Agency's regulations and policies.

Ann C. Hester

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